



# TELECOM REGULATORY AUTHORITY OF INDIA



## **E-NEWSLETTER FOR TRAI REGISTERED CONSUMER ORGANISATIONS FOR JANUARY, 2019**



**Dr. R. S. Sharma, Chairman, TRAI, addressed the NBTC, Thailand delegation headed by Prof. Prasert Silphiphat, Commissioner, NBTC at TRAI Headquarter New Delhi on 17.12.2018**

## **SEMINAR ON SMART PHONE USAGE**

TRAI organised a seminar on Smartphone Usage at Guwahati on 20.12.2018. The seminar was inaugurated by Dr. B C Goswami, Vice Chancellor, Cotton University, Guwahati. During the seminar distinguished speakers from IIT Guwahati, National Informatics Centre (NIC), Industry and TRAI spoke on different aspects of smart phone starting from the journey smartphone has made since its inception to its present avatar with change of processor, operating system, hardware & software features over the years; the impact it has made in business, health care, entertainment and other aspects of social life; safety and security issues of online applications viz. facebook, instagram, whatsapp etc; the role of mobile platforms including the mobile apps like Mobile-Governance, Mobile- Payments in realising the goal of Digital India. The audience was also educated about the mobile Apps namely TRAI Myspeed, TRAI Mycall, TRAI DND 2.0 app and Analytic Portals developed by TRAI to empower consumers. The seminar witnessed huge participation from academia, telecom service providers, IT & Electronics department of Govt. of Assam, IT industry, members of Assam Chamber of Commerce and representatives of Consumer Advocacy Groups (CAG) registered with TRAI.



## 1. Recommendations

### **1.1 TRAI's response dated 21<sup>st</sup> December 2018 to DoT back reference dated 31<sup>st</sup> August 2018 on Recommendations on "Introduction of UL (VNO) for Access Service authorization for category 'B' license with districts of a State as a service area"**

Department of Telecommunications (DoT) through letter dated 31<sup>st</sup> August, 2018 communicated to TRAI that:-

*TC has agreed with the requirement to submit SLA (Service Level Agreement) to Licensor / TRAI. Accordingly, TRAI is asked to design & prescribe a model SLA framework in this regard.*

2. In this regard, the TRAI has made its view that respective Quality of Service parameters/ benchmarks prescribed for parent NSO (TSP) should be equally applicable on UL (VNO) licensees too. In order to comply with Clause 28 of UL (VNO) license and to enforce & ensure the prescribed QoS parameters, the VNO licensee may include service level agreement as part of their commercial agreement with parent NSO. However, instead of prescribing template SLA, it may be left to their mutual commercial agreement.

3. After analysing the issues, TRAI sent its response to the back reference on 21<sup>st</sup> December 2018. A copy of the response sent to DoT is available on TRAI website [www.trai.gov.in](http://www.trai.gov.in)

### **2. Recommendations on "Methodology for levy of Spectrum Charges for provision of Satellite based Services using Gateway installed in India under 'sui-generis' category dated 27<sup>th</sup> December 2018**

Department of Telecommunications (DoT) vide its letter dated 13<sup>th</sup> August, 2018, requested TRAI to provide Recommendations on methodology for levy of Spectrum Charges for provision of Satellite based Services using Gateway installed in India under 'sui-generis' category.

2. In this regard, a Consultation Paper (CP) on "Methodology for levy of Spectrum Charges for provision of Satellite based Services using Gateway installed in India under 'sui-generis' category" was issued on 10<sup>th</sup> October 2018. The TRAI received comments from 9 stakeholders. An Open House Discussion (OHD) was conducted on 26<sup>th</sup> November 2018 in New Delhi.

3. Based on the comments/inputs received from the stakeholders and on its own analysis, TRAI finalized its Recommendations on 27<sup>th</sup> December 2018 on 'Methodology for levy of Spectrum Charges for provision of Satellite based Services using Gateway installed in India under 'sui-generis' category'. The salient features of the recommendations are as follows:

- (a) The formula based spectrum charges should be replaced with AGR based spectrum charges in respect of provision of services by BSNL under its license for 'Provision and Operation of Satellite based services using Gateway installed in India' under 'sui-generis' category. These charges would cover the entire spectrum charges for handsets as well as for gateway.
  - (b) The spectrum charges should be levied at 1% of the AGR of BSNL's satellite based services under 'sui-generis' category.
  - (c) While determining the AGR for the purpose of levy of license fee and Spectrum Charges, the cost of handsets (which is separately identifiable) should be allowed as deduction from the Gross revenue of BSNL's Satellite based services under 'sui-generis' category.
  - (d) There should be a defined time-line not exceeding 30 days within which an Import Licence should be granted and the same should be declared in the portal as well as in the Citizen's Charter.
  - (e) DoT may review whether roaming service can be allowed for GSP service customers in a similar way in which mobile roaming is permitted.
  - (f) DoT may review the need to restrict the GSP Service in certain (barred) areas, consequent to the establishment of Gateway by BSNL.
4. The recommendations have been placed on TRAI's website [www.traigov.in](http://www.traigov.in).

## 2. Regulations

### **2.1 "Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018" dated 13<sup>th</sup> December 2018**

TRAI had issued the Telecommunication Mobile Number Portability (MNP) Regulations 2009 (8 of 2009) dated 23<sup>rd</sup> September 2009 laying down the basic business process framework for implementation of MNP in the country. In a continuous endeavour to make MNP process more subscriber friendly, based on feedback from the stakeholders and its own analysis, TRAI has issued various Directions and amendments to the MNP regulations.

2. Keeping in view to devise mechanism for reducing the rejections on the grounds of “Unique Porting Code (UPC) Mismatch” and “Unique Porting Code (UPC) expired”, the Authority initiated draft Telecommunications Mobile Number Portability (seventh amendment), Regulations 2017, on 16<sup>th</sup> August, 2017 for seeking comments of the stakeholders. The comments received from the stakeholders were examined and analysed. Through the comments, it was observed that in addition to the amendments as proposed in the draft MNP regulations (seventh amendment) as mentioned above, various other issues were also raised by stakeholders and new mechanisms were suggested.

3. Pursuant to the suggestions/ comments submitted by the stakeholders during consultation on draft 7<sup>th</sup> amendment, the Authority on 6<sup>th</sup> April, 2018, initiated the Consultation Paper (CP) on ‘Review of the Mobile Number Portability (MNP) process’ for the comments of the stakeholders. The Consultation Paper envisaged to review all the existing issues with a vision to make the MNP process more efficient and convenient for the telecom subscribers. Total thirteen (13) comments and five (05) counter-comments were received from the stakeholders. An Open House Discussion was convened on 11<sup>th</sup> June, 2018.

4. Based on the comments /counter-comments received during consultation process, the Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations 2018 was issued for the comments of stakeholders on 25<sup>th</sup> September, 2018.

5. Through these regulations (amendment), a major shift in the mechanism for generating Unique Porting Code (UPC) has been provisioned. To make the porting process faster and convenient, for all the cases except corporate porting cases; in the revised process for validation of conditions and generation & delivery of UPC; it has been provisioned to establish a query response mechanism to enable the Mobile Number Portability Service Provider (MNPSp) to query the database of the Donor Operator on real time basis to obtain the response for the queries. Based on the result of queries made by MNPSp and fulfilment of other prescribed conditions, the allocation and delivery of UPC to the subscriber shall be ensured by MNPSp.

6. Initially, it was envisaged that all the Law Enforcement Agencies (LEAs) will come on-board to Central Monitoring System (CMS) before the implementation of the amendment of regulations and accordingly time period of one day was considered sufficient for porting. However, upon receipt of a communication and suggestion from Department of Telecommunications (DoT) on the porting timelines; in the final regulation (amendment), porting timeline of 2 working days has been provisioned for the requests of Intra-Licensed Service Area (Intra-LSA) numbers except the requests made under corporate category and the timelines of 4 working days has been provisioned for all the porting requests of Inter-Licensed Service Area (Inter-LSA) numbers and corporate category.



7. Besides above, other major changes have been incorporated such as the validity of UPC has been kept 4 days in place of 15 days earlier for all LSAs except for the LSAs of Jammu & Kashmir, Assam and North East for which the validity of UPC remains unchanged. Process for withdrawal of porting requests has been made simpler and quicker through SMS. For the cases of corporate porting, present limit of 50 numbers in single authorization letter has been enhanced to 100 numbers per authorization letter. Provisions for the Financial Disincentives have been broadened upon contravention of the provisions of MNP Regulations. Post implementation of this regulation (amendment), appropriate Quality of Service (QoS) parameters will be devised by the Authority to monitor the role of MNPSs and Access Providers in the new scenario.

8. The “Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018” is available on TRAI's website [www.trai.gov.in](http://www.trai.gov.in).

## **2.2 The Telecommunications (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) (Amendment) Regulations, 2018 issued on 28.12.2018**

Through the Amendment, sub-regulation (3) of regulation 45 of the Telecommunications (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017, was amended as below:-

“All the distributors of television channels shall continue to offer the existing packs, plans or bouquets to all the subscribers till 31<sup>st</sup> January ,2019 and it shall be mandatory for all the distributors of television channels to either discontinue or modify all their existing packs, plans or bouquets in compliance with the provisions of these regulations after 31<sup>st</sup> January ,2019.

Further all distributors of television channels shall offer and obtain the option for subscription of new packs, plans or bouquets from the subscribers in compliance with the provisions of these regulations on or before 31<sup>st</sup> January, 2019 and shall ensure that services to the subscribers are provided as per the new packs, plans or bouquets opted for subscription by the subscribers only after 31<sup>st</sup> January, 2019.”

### **3. Directions**

**1. Direction to broadcasters and distributors of television channels relating to display of television channels on Landing Page issued on 03.12.2018.**

The Direction directs all broadcasters and distributors of the television channels to restrain from placing any registered satellite television channel, whose TV rating is released by TV rating agency, on the landing LCN or landing channel or the boot-up screen with immediate effect. In case of previously entered agreements, efforts may be made to implement these directions as soon as possible and it shall be implemented in all cases by 31<sup>st</sup> March 2019.

**2. Direction regarding specifying common text of announcement played to subscribers across all Unified Access Service Providers issued on 12.12.18.**

This direction directs all Access Service Providers to make arrangements to have common text for announcement played by TSP's networks to subscribers for 16 identified events as per list of events and common announcement text. All Access Service Providers were directed to play common text of announcement to their subscribers for these 16 identified events, with effect from the 1st day of March 2019. Details of these 16 identified events is available on TRAI website.

**3. Direction to all Access Service Providers regarding online filing of tariffs directing.**

1. To do away with the requirement of filing of physical copy of tariffs by the Service Providers to TRAI (except for ISD tariffs and International Roaming tariffs, electronic filing of which will be enabled in next phase), TRAI issued the above direction on 20.12.2018 directing all the Telecom Access Service Providers:-
  - (i) to file tariffs online w.e.f. 1<sup>st</sup> January 2019;
  - (ii) to comply with the reporting requirement as per clause 7 of the Telecommunication Tariff Order, 1999 while filing tariffs through online mode;
  - (iii) that the URL for filing online tariffs in HTML response format is <https://tariff.trai.gov.in/API/xmlapi.aspx> and XML response format is <https://Itariff.trai.gov.in/API/xmlapi2.aspx>.

## 4. Consultation Paper

### 4.1 Consultation Paper on Review of Television Audience Measurement and Ratings in India issued on 03.12.2018

Several concerns relating to neutrality and reliability of the existing rating system have been raised by stakeholders, which necessitated a review of existing Television Audience Measurement and Ratings system in India. Accordingly, TRAI has suo-motu floated this consultation paper for seeking comments of stakeholders on the issues related to review of existing system.

## 5. Other Information

### 5.1 Telecom Subscription Data as on 30<sup>th</sup> November, 2018.

Particulars	No. of Wireless subscribers (in Millions)	No. of Wire-line Subscribers (in Millions)	No. of Total subscribers (Wireless + Wire-line) (in Millions)
Urban Telephone subscribers	645.71	18.83	664.54
Rural Telephone subscribers	526.05	3.13	529.18
Total Telephone subscribers	1171.76	21.96	1193.72
Overall Tele-density	89.54	1.68	91.21
Share of Urban Subscription	55.11%	85.76%	55.67%
Share of Rural Subscription	44.89%	14.24%	44.33%
No. of Broadband Subscribers	493.81	18.09	511.90

Active wireless subscribers on the date of Peak VLR in November, 2018 were 1031.28 million.

In the month of November, 2018, 3.24 million subscriber requests were made for MNP. Till the end of November, 2018, a total of 407.22 million consumers have availed MNP facility since its implementation.



## **5.2 Press Release on Implementation of New Regulatory Framework for Broadcasting & Cable Services Sector issued on 18.12.2018;**

The press release was issued to clear the misgivings and to address perpetration of fabricated and concocted facts by some quarters about likely increase in bills of consumers and new framework affecting earning of LCOs. As regards rise in bills, it has been clarified that the subscribers now have full choice to select the channels they want to view and pay accordingly. Thus, they can now fully control their bills. Consumers have the choice to select on a-la-carte basis or in the form of bouquets made by Broadcasters as well as by the distributors. It has further been clarified that as per the data of Broadcast Audience Research Council (BARC) 90% of TV homes view/flip not more than 50 channels and any comparison with the number of channels presently being received under old framework will create false impression as many of these channels were neither wanted nor viewed by the subscriber. As regards LCO earnings the new framework brings in a structure of assured revenue for MSO and LCO under the network capacity fee. Further LCOs have the flexibility to negotiate their revenue share with the MSOs as per the structure provided under MIA. The new framework does not alter the prevailing market structure under MIA/SIA based regime that exists since March 2016.

## **5.3 Press Release on Migration to the New Regulatory Framework for Broadcasting & Cable Services issued on 26.12.2018**

The Authority further advised all Broadcasters/DPOs/LCOs to ensure that any channel that a consumer is watching today is not discontinued on 29.12.2018. Hence, there will be no disruption of TV Services due to implementation of the new regulatory framework. Keeping in view the interest of the subscribers and to enable a smooth transition, the Authority is preparing a detailed Migration Plan for all the existing subscribers. The migration plan will provide ample opportunity to each and every subscriber for making informed choice. This will also enable service providers in carrying out the various activities as stipulated in the new regulatory framework in a time-bound manner.

## **5.4 Implementation of New Regulatory Framework - Schedule of Activities issued on 27.12.2018.**

In order to have a smooth transition of subscribers from old to new framework across the country, TRAI had issued a list of activities and requested service providers to adhere to the following schedule of activities.

- All existing packs/plans/bouquets to the subscribers will continue uninterrupted till 31<sup>st</sup> January 2019.
- No service provider to disconnect any signal/feed to any MSO/LCO/subscriber till 31<sup>st</sup> January 2019, on the pretext of implementation of new regulatory framework.
- Inter-service provider commercial settlement to continue as per their inter-se agreements in-force prior to 19<sup>th</sup> December 2018 till 31<sup>st</sup> January 2019
- DPOs to devise their own mechanism to reach out to all the subscribers and seek options from subscribers. Data pertaining to consumers' choice etc.

should be maintained in such a manner that it is easily verifiable, and should be reported to TRAI from time to time.

- DPOs to migrate all the subscribers, who have exercised their choices, to new framework w.e.f. 1<sup>st</sup> February 2019.
- DPOs to adhere to following schedule for reaching out to the consumers:

S. N	Activity
1	Reach out to at least 30% of the average subscribers base by 7 <sup>th</sup> January 2019
2	Reach out to at least 60% of the average subscribers base by 14 <sup>th</sup> January 2019
3	Reach out to 100% of the average subscribers base by 21 <sup>st</sup> January 2019

### **5.5. Press Release on Migration to New Regulatory Framework for Broadcasting & Cable Services issued on dated 28.12.2018.**

In order to facilitate all the service providers to migrate their subscribers from old to new framework so that no inconvenience is caused to the subscribers, the Authority has issued a schedule of activities containing inter-alia as under:

- All existing packs/plans/bouquets to the subscribers will continue uninterrupted till 31<sup>st</sup> January 2019.
- No service provider to disconnect any signal/feed to any MSO/LCO/ subscriber till 31<sup>st</sup> January 2019.
- DPOs to devise their own mechanism to reach out to all the subscribers and seek options from subscribers.
- DPOs to migrate all the subscribers to new framework w.e.f. 1<sup>st</sup> February 2019 as per options exercised by them.

The Authority once again emphasized that all the provisions of the Interconnection Regulations 2017, the QoS Regulations 2017 and the Tariff Order 2017 are in force and the regulatory provisions contained therein may be strictly complied with while implementing the prescribed schedule of activities. Accordingly, DPOs shall declare the Distributor Retail Price (DRP) and Network Capacity Fee (NCF) as per the time lines given in TRAI press release dated 3<sup>rd</sup> July 2018 i.e. by 29<sup>th</sup> December 2018.

### **5.6. Drive Test :**

TRAI has been regularly conducting the Independent Drive Tests (IDTs) through its appointed agency in cities, Highways and rail routes. Independent Drive Tests (IDTs) in 6 cities, were conducted during 17<sup>th</sup> September to 1<sup>st</sup> November 2018, to assess the network quality provided by cellular mobile telephone service providers. The Key Performance Indicators (KPIs) were assessed for the networks of all telecom service providers operating in the region. KPIs for voice services were Coverage; Call Setup Success Rate; Drop Call Rate; Block Call Rate, Handover Success Rate; Rx Quality.

The schedule of IDTs are given below.-

Cities:-

- Jamnagar from 17<sup>th</sup> to 20<sup>th</sup> September, 2018
- Nellore from 26<sup>th</sup> to 28<sup>th</sup> September, 2018
- Ujjain from 9<sup>th</sup> to 11<sup>th</sup> October, 2018
- Udaipur from 23<sup>rd</sup> to 25<sup>th</sup> October, 2018
- Darjeeling, Kurseong & Siliguri from 28<sup>th</sup> October to 1<sup>st</sup> November, 2018
- Tiruvannamalai from 30<sup>th</sup> October to 1<sup>st</sup> November, 2018

#### 4. Workshop/Consumer Outreach Programmes

##### a) Workshop at Hyderabad (Telangana) on 10.12.2018.



**b) The following Consumer Outreach Programmes were organised during the month of December, 2018**

1	Bhopal (Madhya Pradesh)	04.12.2018
2	Kalaburagi (Karnataka)	06.12.2018
3	Yadgiri (Karnataka)	07.12.2018
4	Cuttack (Odisha)	07.12.2018
5	Mumbai (Maharashtra)	10.12.2018
6	Fatehabad (Haryana)	11.12.2018
7	Prayagraj (Allahabad)	21.12.2018
8	Una (Himachal Pradesh)	27.12.2018

## PHOTO GALLERY



***CoP at Bhopal (Madhya Pradesh) held on 04.12.2018***



***CoP at Kalaburagi (Karnataka) held on 06.12.2018***





***CoP at Yadgiri (Karnataka) held on 07.12.2018***



***CoP at Cuttack (Odisha) held on 07.12.2018***





***CoP at Mumbai (Maharashtra) held on 10.12.2018***



***CoP at Fatehabad (Haryana) held on 11.12.2018***



**CoP at Prayagraj (Allahabad) held on 21.12.2018**



**CoP at Una (Himachal Pradesh) held on 27.12.2018**

**Full details of the Directions/Orders, Consultation Paper/Report, Subscription Data, etc mentioned in this newsletter are available on TRAI website [www.traigov.in](http://www.traigov.in)**

**MahanagarDoorsancharBhawan, JawaharLal Nehru Marg,  
(Old Minto Road), New Delhi-110 002.**

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